



PATENT

Attorney Docket No. 555255012322

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Daniel M. Fischer, Dan G. Radut, Michael F. Habicher, Quang A. Luong, Jonathan T. Malton, Charles B. Meyer

Serial No.: 10/087,391

Filed: March 1, 2002

For: SYSTEM AND METHOD FOR POWERING AND CHARGING
A MOBILE COMMUNICATION DEVICE

Art Unit: 2838

Examiner: Bao Q. Vu

ASSISTANT COMMISSIONER OF PATENTS
WASHINGTON, D.C. 20231

PETITION FOR FILING A DECLARATION UNDER
37 CFR § 1.131 BY OTHER THAN ALL THE INVENTORS

In accordance with 37 CFR § 1.47 and MPEP §§ 409.03(a) and (d) and 715.04, applicants Fischer, Habicher, Luong, Malton and Meyer hereby petition the Assistant Commissioner to accept the filing of the enclosed Declaration Under 37 C.F.R. § 1.131 on behalf of themselves and the joint inventor, Dan G. Radut, who has refused to join in the application for patent and further refuses to join in the Declaration Under 37 C.F.R. § 1.131. The petition fee of \$130 under 37 CFR § 1.17(I) accompanies this petition.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Washington, D.C. 20231 on the date indicated below.

Debra L. Pejeau
Name

Date

Signature

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on February 9, 2004

By: Debra L. Pejeau

02/18/2004 HUONG1 00000128 501432 10087391

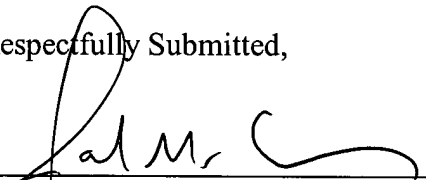
02 FC:1460 130.00 DA

As required by MPEP § 409.03(d) and § 715.04 applicants enclose herein proof of the refusal of Mr. Radut to execute the enclosed Declaration Under 37 C.F.R. § 1.131, in the form of a Declaration of Joseph M. Sauer to whom the refusal to sign was made. In the Declaration, Mr. Sauer states that a bona fide attempt was made to present a copy of the Declaration Under 37 C.F.R. § 1.131 papers to Mr. Radut, and that Mr. Radut refused to sign the Declaration Under 37 C.F.R. § 1.131. The Declaration by Mr. Sauer is deemed by the applicants to be sufficient proof of the refusal of Mr. Radut to sign.

In accordance with MPEP § 715.04, a Declaration Under 37 C.F.R. § 1.131 signed by Messrs./Mmes. Fischer, Habicher, Luong, Malton and Meyer with the signature block of Mr. Radut left blank is enclosed herein. The last known address of Mr. Radut is "300 Regina Street, North, Building 1, Apt. 1207, Waterloo, Ontario N2J 3B8 Canada."

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required by this paper only to Jones, Day Reavis & Pogue Deposit Account No. 501432, order no. 555255012322.

Respectfully Submitted,



Joseph M. Sauer
Registration No. 47,919
JONES, DAY, REAVIS & POGUE
901 Lakeside Avenue/North Point
Cleveland, OH 44114
(216) 586-3939

Date: 2/9/01